

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

KARINA E. JAMES,

Plaintiff,

v.

**DR. SUNIL PATEL, NIMISH PATEL,
AMIT VAJAWALA, and ISELIN ADULT
MEDICAL DAY CARE,**

Defendants.

Civ. No. 19- 08757 (KM)(JBC)

ORDER

KEVIN MCNULTY, U.S.D.J.:

This matter comes before the Court on the motion (DE 25) of Plaintiff Karina E. James for an amended default judgment.

IT APPEARING that James, proceeding *pro se*, initiated this action against Dr. Sunil Patel, Nimish Patel, Amit Vajawala, and Iselin Adult Medical Day Care, asserting federal employment discrimination claims (DE 1); and

IT FURTHER APPEARING that on October 19, 2020, the Court, upon James's motion, entered an order of default judgment totaling \$110,000 (DE 11, 17, 18); and

IT FURTHER APPEARING that on March 17, 2021, James moved for an amended default judgment ordering that defendants Dr. Sunil Patel, Nimish Patel, and Amit Vajawala each pay James \$110,000, totaling \$330,000 (DE 25); and

IT FURTHER APPEARING that a district court, on a motion for default judgment, need not accept a plaintiff's allegations of damages, rather a plaintiff must prove damages, *United States v. \$240,431 in U.S. Currency*, Civ. No. 19-12834, 2020 WL 1182909, at *3 (D.N.J. Mar. 11, 2020); and

IT FURTHER APPEARING that the damages sought in the complaint and motion for default judgment only totaled \$110,000 (DE 1 at 8; DE 11 at 1; DE 17 at 1), so the pleadings and motion do not provide notice that \$330,000 is sought; and

IT FURTHER APPEARING that the damages sought, stemming from James' employment with Defendants, are not of a nature that they would be owed duplicatively by each defendant (*see* DE 1 at 8);

IT IS THEREFORE this 10th day of June, 2021,

ORDERED that Plaintiff's motion for an amended default judgment (DE 25) is **DENIED**. The clerk shall close the file.

/s/ Kevin McNulty

Kevin McNulty
United States District Judge